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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/836,096	04/17/2001	Philippe Gatepin	PHFR 000041	. 7718
24737	7590 07/15/2004		EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			CZEKAJ, DAVID J	
P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510		ART UNIT	PAPER NUMBER	
	William Congression		2613	
			DATE MAILED: 07/15/2004	6

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Og/835,096 GATEPIN, PHILIPPE Examiner Dave Czekaj 2813		A Cartion No.	Amplicant(a)			
## Commonstration Examiner Dave Czekaj 2813						
Dave Czekaj The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of them may be revisible under the provision of 37 CFR 1.136(a). In no event, however, may a reply be timely filled after SIX (6) MONTH'S from the mailing date of this communication. If the period for reply septide above is less than thinky (30) days, a reply within the statutory minimum of thinty (30) days will be considered timely. If the period for reply septide above is the statutory period will apply and will sopie SIX (6) MONTH'S from the considered timely. If the period for reply within the control and the trib (30) days, are reply within the control and this communication. Failuse to reply within the office size than three months after the melling date of this communication, even if timely filed, may reduce any canned patent term adjustment. See 37 CFR 1.704(b). Status 1) □ Responsive to communication(s) filed on 2a) □ This action is FINAL. 2b) ☑ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☑ Claim(s) is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) ☑ Claim(s) is/are allowed. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) is/are objected to. 8) □ Claim(s) is/are objected to by the Examiner. 10) ☑ The drawing(s) filed on Application are objected to by the Examiner. Application Papers 9) □ The specification is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☑ Acknowledgment is made of a claim for foreign	Office Action Summany					
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a)⊠ All b)□ Some * c)□ None of: 1.⊠ Certified copies of the priority documents have been received.	Priority under 35 U.S.C. § 119					
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.						
Attachment(s)	Attachment(s)					
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date.	1) Notice of References Cited (PTO-892)					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4. 5. U.S. Patent and Tradematk Office	3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4. 5.	5) Notice of Informal				

Application/Control Number: 09/836,096

Art Unit: 2613

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Wang et al. (6167084), (hereinafter referred to as "Wang").

Regarding claims 1 and 4, Wang discloses an apparatus that allocates bits in a statistical multiplexing system. This apparatus comprises "computing an indicator of a compressed data quality for the respective transcoding channels, the indicator being computed from the input compressed data signal" (Wang: figure 6, column 11-column 12, wherein the indicator is the complexity measure shown in equations 5 and 7-8, the compressed input signal is the compressed program) and "allocating the output bit rate to the transcoding channel from a total output bit rate, indicator, and a sum of the indicators" (Wang: figure 6, column 8, lines 54-67- column 9, lines 1-25, wherein the output bit rate is the target number of bits, the sum of the indicators is the complexities of each frame).

Regarding claim 2, Wang discloses "the indicator is computed from an average of a function of average quantization scale and a number of bits used to encode the picture" (Wang: columns 11-12, wherein the average quantization scale is $Q_{l,n,t}$, the number of bits used for the picture is $R_{l,n,t}$).

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Regarding claim 3, Wang discloses "the indicator is computed from a weighted average of a set of averages calculated over the pictures" (Wang: columns 11-12, wherein the averages is the quantization scale, the weight is the weighting factor K).

Regarding claims 5 and 6, Wang discloses "a set of transcoders for converting input compressed data at an input bit rate into output signals encoded at an output bit rate" (Wang: figures 3 and 6, wherein the transcoders convert the input bit rate into an output bit rate), "computing an indicator of a compressed data quality for the respective transcoding channels, the indicator being computed from the input compressed data signal" (Wang: figure 6, column 11-column 12, wherein the indicator is the complexity measure shown in equations 5 and 7-8, the compressed input signal is the compressed program), "allocating the output bit rate to the transcoding channel from a total output bit rate, indicator, and a sum of the indicators" (Wang: figure 6, column 8, lines 54-67- column 9, lines 1-25, wherein the output bit rate is the target number of bits, the sum of the indicators is the complexities of each frame), and a "multiplexer for providing a multiplexed signal at the output bit rate by multiplexing the output signals" (Wang: figure 6, item 660).

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US-6310915

10-2001

Wells et al.

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US-6192083

02-2001

Linzer et al.

US-6434197

08-2002

Wang et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (703) 305-3418. The examiner can normally be reached on Monday - Friday 9 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CUBIS KELLEY

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